

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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ARGOS HOLDINGS INC. and PETSMART,  
INC.,

Plaintiffs, Counterclaim-  
Defendants,

v.

WILMINGTON TRUST, NATIONAL  
ASSOCIATION, as Administrative Agent,

Defendant, Counterclaim-  
Plaintiff,

v.

ARGOS INTERMEDIATE HOLDCO III  
INC., BUDDY CHESTER CORP., BUDDY  
CHESTER SUB CORP., BUDDY  
HOLDINGS CORP., ALAN M. SCHNAID,  
PAULETTE R. DODSON, PAUL  
KEGLEVIC, PETER S. KRAVITZ, SCOTT  
D. VOGEL, and CEZAR M. FROELICH,

Counterclaim-Defendants.

Case No. 18-cv-05773 (DLC)

**STIPULATION OF VOLUNTARY  
DISMISSAL PURSUANT TO  
FRCP 41(a)(1)(A)(ii)**

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IT IS HEREBY STIPULATED AND AGREED, by and between the parties and their respective counsel, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of the action, that all claims and counterclaims asserted by any party against any other party in the above-captioned action, are dismissed on the merits with prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure and without costs to any party as against the other.

IT IS FURTHER STIPULATED AND AGREED, that this stipulation may be executed in counterparts, that a facsimile signature shall have the same binding effect on all parties hereto as an original signature.

Dated: New York, New York  
April 16, 2019

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PetSmart, Inc., and Counterclaim-Defendants  
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Buddy Chester Sub Corp., and Argos  
Intermediate Holdco III Inc.*

ROBBINS, RUSSELL, ENGLERT,  
ORSECK, UNTEREINER & SAUBER,  
LLP

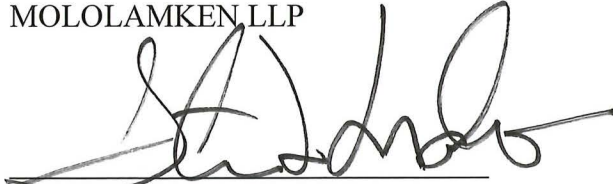


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